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SUSAN M. ATOIGUE

FILED
DISTRICT COURT OF GUAM

APR 09 2008 

JEANNE G. QUINATA
Clerk of Court

IN THE DISTRICT COURT
OF GUAM

SUSAN M. ATOIGUE,

CIVIL CASE NO. CV08-00001

Plaintiff,

vs.


~~PROPOSED~~ SCHEDULING ORDER AND
DISCOVERY PLAN

TELEGUAM HOLDINGS, LLC dba
GUAM TELEPHONE AUTHORITY,

Defendant.

_____ /

Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Local Rule 16.1 for the District Court of Guam, the parties hereby submit the following Scheduling Order and Discovery Plan:

The nature of the case is as follows:

1. Plaintiff filed suit against Defendant seeking damages for violation of the Family Medical Leave Act. Defendant has filed its answer.
2. The posture of the case is as follows:
 - a) There are no motions pending or filed in this matter.
 - b) The following motions have been resolved: None to Date.
 - c) Parties have not initiated discovery.
3. Motions to Amend: Cutoff for motions to amend pleadings shall be **November 3, 2008.**

ORIGINAL

4. Motions to Add Parties: Cutoff for Motions to add parties shall be **May 20, 2008**.

5. Discovery Plan. The following is the description and schedule of all pretrial discovery each party intends to initiate prior to the close of discovery:

- a) Initial Disclosures: The times for disclosures under Rule 26(a) and 26(e) of the Federal Rules of Civil Procedure are modified as follows: 26(a)(1) – within **30 days** from the date of this order.
- b) Written Discovery: Each party may propound interrogatories and requests to produce and requests for admissions within the limits set by the Federal Rules of Civil Procedure. If either party determines that it needs to propound more discovery than permitted by the Rules, the parties will confer in good faith to accommodate reasonable discovery requests prior to the filing of any motion relating to a discovery dispute.
- c) Discovery cutoff. The discovery cutoff date (defined as the last day to file responses to discovery) shall be **October 20, 2008**.
- d) Expert Discovery:
 - 1. The Disclosures of expert testimony required under Federal Rule of Civil Procedure 26(a)(2) shall be made no later than **August 20, 2008**.
 - 2. Any designation of rebuttal expert testimony under Rule 26(a)(2) shall be made no later than **September 22, 2008**.
 - 3. The depositions of experts may be scheduled at any time at least 20 days subsequent to the submission of rebuttal reports and the depositions of said experts shall be completed no later than **October 20, 2008**.

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6. The parties shall appear before the District Court on **April 7, 2008** at **9:30 a.m.**
7. Motions
 - a) The anticipated discovery motions are: None are anticipated at this time.
All discovery motions shall be filed on or before **November 3, 2008**.
 - b) The anticipated dispositive motions are: Unknown at this time. All dispositive motions shall be filed on or before **December 1, 2008**.
7. The prospects for settlement are unknown at this time;
8. The Preliminary Pre-Trial Conference shall be held on **April 7, 2009** at 10:00 *pm* 1 *a*.m.
9. The parties' pre-trial materials, discovery materials, witness lists, designations and exhibit lists shall be filed on or before **April 14, 2009** (no later than fourteen (14) days prior to trial).
10. The proposed pretrial order shall be filed on or before **April, 14, 2009**.
11. The final Pre-Trial Conference shall be held on **April 21, 2009**, 10:00 a.m. *pm*
12. The trial shall commence on **April 28, 2009** at 9:00 a.m.; *pm*
13. This is a trial to the Court. There shall be no jury.
14. It is anticipated that it will take three (3) to four (4) days to try this case.
15. The names of the counsel on this case are:

William L. Gavras, Esq.
Law Offices of William L. Gavras
Attorney for Plaintiff
SUSAN M. ATOIGUE

Elyze J. McDonald, Esq.
Carlsmith Ball LLP
Attorneys for Defendant
TELEGUAM HOLDINGS, LLC dba GUAM TELEPHONE

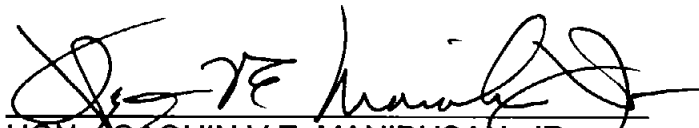
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16. The parties have no objections to submitting this case to a settlement conference.

17. Suggestions for shortening Trial: The parties will explore stipulations as to undisputed facts.

18. The following issues will also affect the status or management of the case: None at this time.

Dated: 4/7/2008


HON. JOAQUIN V.E. MANIBUSAN, JR.
Judge, District Court of Guam

APPROVED AS TO FORM AND CONTENT:

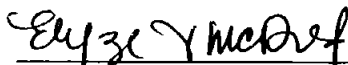
LAW OFFICE OF WILLIAM L. GAVRAS

Dated: 3-21-08


WILLIAM L. GAVRAS, ESQ.
Attorney for Plaintiff

CARLSMITH BALL, LLP

Dated: 21 March 2008


ELYZE J. MCDONALD, ESQ.
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TELEGUAM HOLDINGS, LLC dba GUAM
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